

JOSHUA S. GOODMAN - State Bar #116576  
PAIGE P. YEH - State Bar #229197  
JENKINS GOODMAN NEUMAN & HAMILTON LLP  
417 Montgomery Street, 10<sup>th</sup> Floor  
San Francisco, California 94104  
Telephone: (415) 705-0400  
Facsimile: (415) 705-0411

Attorneys for Plaintiff  
HOME DEPOT U.S.A., INC.

UNITED STATE DISTRICT COURT  
THE NORTHERN DISTRICT OF CALIFORNIA

HOME DEPOT U.S.A., INC.,  
  
Plaintiff,  
  
vs.  
  
UNITED STATES FIDELITY and  
GUARANTY COMPANY,  
TRAVELERS INSURANCE  
COMPANY, and DOES 1 through 10,  
inclusive,  
  
Defendants.

**No. 08-02713 SC**

**NOTICE OF VOLUNTARY DISMISSAL  
OF DEFENDANT TRAVELERS  
INSURANCE COMPANY**

**[FRCP § 41(a)(1)(A)(i)]**

Pursuant to Federal Rules of Civil Procedure section 41(a)(1)(A)(i), please take notice that Plaintiff HOME DEPOT U.S.A., INC. hereby voluntarily dismisses without prejudice Defendant TRAVELERS INSURANCE COMPANY, who has not filed an answer or motion for summary judgment, from the above-captioned case.

DATED: August 29, 2008

JENKINS GOODMAN NEUMAN  
& HAMILTON LLP

By: /s/  
JOSHUA S. GOODMAN  
PAIGE P. YEH  
Attorneys for Plaintiff  
HOME DEPOT U.S.A., INC.

Jenkins Goodman  
Neuman & Hamilton  
LLP  
417 Montgomery St.  
10<sup>th</sup> Floor  
San Francisco, CA  
94104  
(415) 705-0400